

REMARKS/ARGUMENTS

No claims have been amended, added, or canceled.

35 U.S.C. § 112 Rejections

Examiner rejected claims 15 and 16 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner requested confirmation that "said calculating" in claim 15 refers back to both instances of "calculating said threshold" in claim 13. The Examiner's interpretation of the "said calculating" limitation in claim 15 is thus hereby confirmed. Therefore, claim 15 and 16 are now in condition for allowance.

CONCLUSION

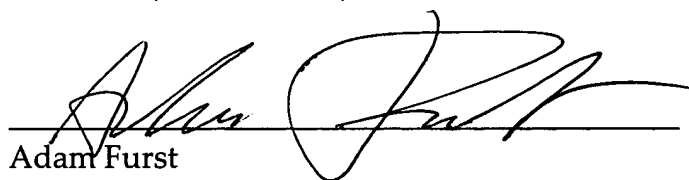
Applicant respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Adam Furst at (408) 947-8200.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: October 12, 2004

A handwritten signature in black ink, appearing to read 'Adam Furst', is written over a horizontal line.

Adam Furst
Reg. No. 51,710

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300